

NEW



**U.S. Department of  
Transportation**

Office of the Secretary  
of Transportation

## NOTICE OF ACTION TAKEN

**December 8, 1997**

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*This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.*

Applications of American Airlines, Inc. filed 11/21/97 in Undocketed for:

XX Statement of Authorization under 14 CFR Part 207 to:

**Display South African Airways' "SA" designator code on flights operated by American in the following markets:**

**Miami to/from:  
Jacksonville  
New Orleans  
Raleigh/Durham  
San Juan  
Seattle/Tacoma  
Tampa**

**New York (JFK) to/from:  
Baltimore/Washington  
Buffalo  
Cleveland  
Columbus  
Pittsburgh  
Raleigh/Durham  
San Diego  
San Juan**

American states that the code-sharing service in issue will be operated in conjunction with SAA's transatlantic flights between South Africa and its New York and Miami gateways and that the carriers propose to commence this additional code-sharing service in early 1998.

No answers were filed to the application.

Applicant rep.: Carl B. Nelson, Jr. 202-496-5647 DOT analyst: Linda Senese, 202-366-2367

### DISPOSITION

XX *Granted in Part, subject to conditions (See below)*

XX *Balance Deferred.*

*The above action was effective when taken: December 8, 1997, through December 8, 1998 (coextensive with South African Airways exemption approval)*

XX *Under assigned authority (14 CFR 385) by:*

*Paul L. Gretch, Director  
Office of International Aviation  
(Petitions for review may be filed from now until  
10 days after the confirming order/letter issues.  
Filing of a petition shall not stay the effectiveness of  
this action.)*

XX **Authority granted is consistent with the aviation agreement between the United States and the Republic of South Africa.**

(See Reverse Side)

*Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated:*

**XX Holder's certificate of public convenience and necessity**

**XX Standard Exemption Conditions (attached)**

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**Special Remarks:** The authority granted is coextensive with the duration of the exemption granted South African Airways on December 8, 1997.

**Deferral:** We deferred action on American's request for authority to code-share to/from Miami and Seattle/Tacoma, pending receipt and action on an application by South African Airways for authority to serve the South Africa-Seattle/Tacoma market.

**Conditions:** The code-sharing operations authorized herein must comply with 14 CFR 399.88 of the Department's regulations and any amendments to the Department's regulations concerning code-share arrangements that may be adopted and are expressly conditioned upon the requirements that the subject foreign air transportation be sold in the name of the carrier holding out such service in computer reservation systems and elsewhere, and that the carrier selling such transportation (*i.e.*, the carrier shown on the ticket) accept all obligations established in its contract of carriage with the passenger.

## **Appendix A**

### **U.S. Carrier** **Standard Exemption Conditions**

In the conduct of the operations authorized by the attached order, the applicant(s) shall:

- (1) Hold at all times effective operating authority from the government of each country served;
- (2) Comply with applicable requirements concerning oversales contained in 14 CFR 250 (for scheduled operations, if authorized);
- (3) Comply with the requirements for reporting data contained in 14 CFR 241;
- (4) Comply with the requirements for minimum insurance coverage, and for certifying that coverage to the Department, contained in 14 CFR 205;
- (5) Comply with the requirements of 14 CFR 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (6) Comply with the applicable requirements of the Federal Aviation Administration Regulations; and
- (7) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department of Transportation, with all applicable orders and regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

The authority granted shall be effective only during the period when the holder is in compliance with the conditions imposed above.